

**UNITED STATES DISTRICT COURT  
District of Massachusetts (Eastern)**

**Comcast of Massachusetts/New  
Hampshire/Ohio, Inc. ("Comcast")**

Plaintiff,

vs.

**Robert Dion**

Defendant

) Case No.: **1:04-cv-10423-RWZ**

) **PLAINTIFF'S MOTION TO EXTEND**  
) **TIME TO MOVE FOR DEFAULT**  
) **JUDGMENT**

**NOW COMES** Plaintiff in the above-captioned case respectfully requests that this Court to extend the deadline for the Plaintiff to move for Default Judgment to January 15, 2006.

As grounds, the Plaintiff states:

1. In light of recent case law Plaintiff intends to file an Affidavit in support of its Motion for Default Judgment.
2. The Affidavit that the Plaintiff intends to file will be extensive and may require input from an out-of-state employee and/or an out of state office of Comcast.
3. Plaintiff's Counsel requires more time to obtain executed Affidavit.
4. Plaintiff has yet to be contacted by the Defendant or anyone on his behalf.

**Certification pursuant to LR D. Mass 7.1 (A) (2)**

Plaintiff's Counsel certifies that no one has appeared on the part of the Defendant. Accordingly this motion can go forward.

In further support of this motion, see affidavit of John M. McLaughlin

Respectfully Submitted for the Plaintiff,  
By Its Attorney

12/13/05  
Date

/s/ John M. McLaughlin  
John M. McLaughlin (BBO: 556328)  
**Green, Miles, Lipton & Fitz-Gibbon LLP**  
77 Pleasant Street  
P.O. Box 210  
Northampton, MA 01061-0210  
(413) 586-0865

**CERTIFICATE OF SERVICE**

I, John M. McLaughlin, attorney for the Plaintiff, hereby certify that on the 13th day of December 2005, a copy of the foregoing motion and affidavit were sent via U.S. 1st Class mail to

Robert Dion  
69 Temple Ave  
Winthrop, MA 02152

/s/ John M. McLaughlin  
John M. McLaughlin